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03-2-315

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Seymour, et al.

Application/Control No.: 10/737,048

Art Unit: 3632

Filed: 12/16/2003

Examiner: Sterling, Amy Jo

For: BRACKET ASSEMBLY

Commissioner for Patents  
Box 1450  
Mail Stop: AF  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA 22313, on

May 27, 2005

  
William H. McNeill

**Response to Notification of Non-Compliant Appeal Brief**

In response to the subject Notification dated 05/25/2005, (copy attached), submitted herewith is a corrected copy of the Appeal Brief in the subject application with the paragraph headings promulgated by 37 CFR 41.37(c).

Respectfully submitted,

  
William H. McNeill  
Reg. No. 24,426



## UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 31 2005

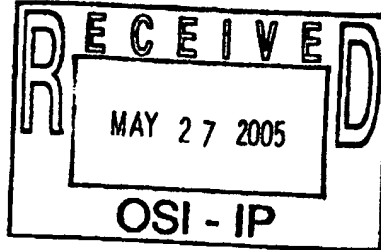
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/737,048	12/16/2003	Douglas G. Seymour	03-2-315	7677

7590

05/25/2005

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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

BEST AVAILABLE COPY

**Notification of Non-Compliant Appeal Brief  
(37 CFR 41.37)**

Application No.

10737.048

Applicant(s)

SEYMOUR ET AL

Examiner

Amy J. Sterling

Art Unit

3632

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--


The Appeal Brief filed on 12 April 2005 is defective for failure to comply with one or more provisions of 37 CFR 41.37.


To avoid dismissal of the appeal, applicant must file a complete new brief in compliance with 37 CFR 41.37 within ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

1. ☒ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed or confirmed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(ii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☐ Other (including any explanation in support of the above items):

Effective July 30, 2003, the following must be change to be in compliance with 37CFR 41.37(c).

1. Change the "Summary of Invention" to "Summary of Claimed Subject Matter"
2. Change "Issues" to "Grounds of Rejection to be Reviewed on Appeal"
3. Change "Appendix" to "Claims Appendix"
4. Add "Evidence Appendix" heading. State if any evidence has been submitted.
5. Add "Related Proceedings Appendix". State if there are any related proceedings.

  
ANITA KING  
PRIMARY EXAMINER

  
AJS 5/16/05